ANNEXURE.

FINAL REPORT OF THE COMMITTEE APPOINTED FOR THE REVISION OF GAME LAWS IN MYSORE, BY GOVERNMENT IN THEIR ORDER No. I. C. 251-61—FT. 352-25-3, DATED 12TH JULY 1926.

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1. After a careful examination of the question, the Committee have arrived at the conclusion that Game has appreciably diminished in recent years in the State, and that a certain amount of reduction is inevitable as a consequence of the increase in population.

The following other causes have however contributed towards such a diminution:—

(1) Poaching.
(2) Wild dogs.
(3) Undue scope and liberty granted under Section 12 of the Game Regulation.
(4) Two rupee license.
(5) Unauthorised netting.
(6) Mola Betay.
(7) Pardees.
(8) Burday Bestars.
(9) Dynamiting.
(10) Tiger being not included under Game.
(11) Game shooting in Jahgir and Inam lands and other large estates.

Poaching.—Although the existing Game Laws are adequate to put down poaching to a considerable extent, the Committee are of opinion that there is slackness in their enforcement. The offences detected are few and far between, and the cases brought before competent Courts are still less. The existence of the law regulating the protection of Game is not sufficiently well known among the public at large. It is even doubtful if the lower subordinates of the several departments entrusted with the enforcement of these laws are fully aware of the details of provision in the law. The ordinary villager is more after amusement and supplementing his food and cares nothing to respect the sporting principles required under modern conditions for protection of Game to ensure its steady availability in future also.

The Committee are of opinion that poaching can be but down by *the grant of adequate rewards.*

Under the present rules the only officer who can sanction rewards for informants and to those who have helped in the prosecution of offences under the Game Laws, is the Conservator of Forests. This can be liberalised by,—

(*a*) Empowering the Convicting Magistrate to sanction rewards to concerned persons up to a limit of half the fine inflicted;
(*b*) Empowering the District Forest Officers to grant rewards to the extent of half the compounding fee, when offences; are compounded under Section 59 of the Mysore Forest Regulation: and
(*c*) Extending to the Deputy Commissioners the discretionary power given to the Conservator of Forests for incurring expenditure not exceeding Rs. 15 in each case for information which may lead to the prevention or detection of any offence against Game Laws. The Deputy Commissioners shall render to the Conservator of Forests an account of such expenditure.
(*d*) Five other suggestions are given under the head "General" in the concluding portion of this report and also under items 3 to 9 and 11 of this part.

2. *Wild dogs.*—It is well known that appearance of wild dogs in any locality leads almost to the extinction of game particularly sambhur, deer and antelopes in the surrounding country. It is true that a reward is offered for killing wild dogs. But hardly any reward has been paid in any District. It is doubtful if the public are aware of the grant of rewards for wild dogs at all; and it is also a question for consideration if the reward is adequate to induce people to shoot wild dogs.

The Committee are of opinion that the rewards for killing wild dogs should be substantially increased. Mr. Bowring is of opinion that the reward may be increased to Rs. 50 for a bitch and Rs. 35 for a dog. This appears to be too high and the Committee consider that Rs. 20 per bitch and Rs. 15 per dog adequate.

3. *Section 12 of the Game Regulation.*—This clause permits any holder to kill or capture any game doing damage to his crop and he can even pursue such animals beyond his holding to kill or capture them. The section states that this may be done 'so far as it is necessary to protect his *crops*.' But it is obvious that it is often a matter of difficulty to adjudge whether the killing was actually in the interests of protecting his crop and in most cases it has to be presumed in favour of the landholder.

It will be seen from the latter part of this report that the Committee are of opinion that tiger should be included under Game. If such an addition is accepted this section will have to be suitably amended, somewhat as follows, so as to permit the killing or capturing of tigers doing damage to cattle.

"Nothing in this Regulation shall be deemed to prevent any owner or occupier of land from killing, capturing or pursuing any game doing damage to any crop growing thereon or to *any cattle* belonging to him, so far as the same may be necessary for the protection of crop or cattle."

Messrs. Bowring and Van Ingen state that it is unnecessary to permit pursuing of game by the owner of land beyond the limits of his land to protect his crop or cattle. They even state that killing is not at all necessary; and that scaring away is quite ample. Firing of blank cartridges would scare away game which will not come back to the same place for days or even weeks; although it is just possible that tiger may come back, if he is hungry, after food, even if shot at.

The Deputy Commissioner, Shimoga, says that liberty for killing is necessary, since it is likely that animals scared from one field may get on to another field or come back to the same field.

The Conservator and the Deputy Commissioner, Mysore, believe that this is a fruitful source of poaching and that the privilege conferred is grossly abused. To commence with, the owner may be prevented from pursuing Game beyond the limits of his occupied holding.

4. *The Issue of Two Rupees License in Special Tracts.*—The Committee are of opinion that this rule is not widely known. It so happens that this cheap license is available in that part of the State where natural conditions are most favourable for game.

The number of licenses issued under this category is not very large and is chiefly attributed to the fact that the provision is not widely known.

The Deputy Commissioners, Shimoga and Mysore want the license to continue as it is intended for the benefit of the poorer Shikari classes of the locality whose instincts for the pursuit of game have to be kept alive, but who cannot afford to pay a higher fee. The Deputy Commissioner, Mysore, is for restricting this concession to the Shikari castes only, *e.g.*, Uppaligars, and not allowing it to all landholders.

The Conservator is not in favour of containing this cheap license, and would not differentiate it from District Licenses which will be discussed later on.

5. *Netting by Villagers.*—It has been brought to the notice of the Committee the extent of the damage caused to game by this crude and unprincipled sport of the villagers. Occasionally whole villages turn out with their nets and selecting a piece of woodland containing game, a line of nets is spread out, behind which stand a number of men with spears. The rest of the villagers go into the forest and beat it towards the nets. All the animals falling on the net are speared by the men behind them without any respect to the Game Laws, either as regards kind or number or the close season.

Messrs. Bowring and Van Ingen are absolutely against this usage; but considering the impracticability of putting stop to such a procedure absolutely, they think that the habit should be regulated by restricting such netting to wild boar and panther only. Killing of game by this method should be prevented and action taken under the existing rules. No special change of the Regulation or Rules is necessary. 1c

The Committee agree with this view.

6. *Mola Betay.*—In some parts of the State, villagers go out frequently to some places every Monday and in a manner similar to the one described under netting, drive all the hares towards the nets thus wiping out the tract of all hares. This is done even during the close season.

This sort of hunting is chiefly resorted to in open or lightly wooded country. This is a source of great amusement to the people. This is distinctly an offence under the Game Laws, but being a very old institution and one of few amusements that the ordinary villager can indulge in, the witnesses have not pressed for its being stopped and the Committee do not recommend it either.

It is however suggested that it should be stopped during the close season, *viz.*, 1st March to 1st September and that this close season may be altered to 1st May to 1st November. The Committee agree in these two suggestions.

7. *Pardees or Professional Bird Catchers.*—It is stated that these Pardees are catching birds of all kinds throughout the year and especially during the rains and early winter when it is the breeding season for most of our indigenous feathered game. Such indiscriminate destruction of birds is likely to increase the insect enemies of the agricultural crop of the country.

Pardees are a roaming gang of men, moving from place to place and are reported to be carrying on a very remunerative trade.

The Committee are of opinion that these people and their trade should be controlled. They should be prevented from catching birds between 1st May and 1st November in each calendar year, which should be made the close season. Each male member of the party should be made to take a license on a fee of eight annas each per year.

8. *Burday Bestars.*—These people have a barbarous way of catching fish in most of our *perennial rivers.* Each man has a number of nets and a party of men scour stretches of rivers and practically catch all available fish in the river, thus causing fast reduction of fish in the river, which may ultimately result in the disappearance of the superior kinds from the State altogether.

Fish is a very important article of food and any control should be in a manner so as not to affect the food supply. The Committee are of opinion that each Burday Bestar should be allowed to use only one net.

In this connection, the control of village bestars was also investigated and the Committee are of opinion that it will suffice for the present, if the Bestars along the main and important rivers are only registered.

9. *Dynamiting.*—It is an unholy practice, frequently taken to in catching fish resulting thereby in the thorough killing of all fish both big and small in the pools of our rivers.

Dynamiting is prohibited under the existing Game Laws and the Committee are of opinion that the prohibition should be strictly enforced and infringements prosecuted rigorously.

There is no special license for fishing and Mr. Bowring and others are not in favour of licensing fishing.

But the Committee are of opinion that it is desirable to give opportunities to anglers with rod and line and therefore recommend that certain tracts and stretches of river be protected and fishing therein be licensed at Rs. 5 per license per year (except during the close season): and that this be tried in the following localities:—

(1) Krishnarajasagara half a mile on either side of the dam, both above and below the dam.
(2) Muduktore.
(3) Kapila river from Wynaad Frontier to Manchegowdanahalli.
(4) Vain Vilas Sagara half a mile on either side of the dam.

The Committee are of opinion that fishing should be absolutely prohibited at Hessarghatta and Betamangala and other Reservoirs used for supplying drinking water to cities and towns.

10. *Tigers.*—As a result of poaching of game, tigers have been resorting to open country and, for want of food, have become cattle-lifters.

With a stricter control over poaching, tigers are not likely to be a very great source of danger to village cattle. Section 12 of the Regulation gives ample opportunity for destroying such tigers straying into open country.

Tiger is a majestic animal of our forests and is the principal subject of big game shooting.

Agreeing with the general concensus of public opinion, the Committee strongly recommend that tiger should be declared 'Game' under the powers vested in Government in Section 2 of the Regulation.

The Committee are further of opinion that the existing reward for killing of tiger should be abolished.

11. *Shooting in Jahgir and Inam lands and other large Estates.*—There is a certain amount of misapprehension among the large owners of land that they are free to shoot game within the limits of their estate either by themselves or their guests and friends. The Committee are of opinion that a communique should be published pointing out that the Game and Fish Preservation Regulation extends to the whole State, whether on public or private lands and that shooting game except under a license even on private land is prohibited under the Regulation. This prohibition should be made clear to Jahgirdars, Inamdars and owners of Coffee Estates, etc.

In this connection, the Committee wish to point out that para 1 of rules regarding elephant tusks and ivory (G. O. No. 4664—72-57 of 15th September 1886) declares elephant tusks an item of royalty. But for enforcing it, there is no legal provision, as no declaration is made to that effect in the Elephant Preservation Act.

Measures for regulating the issue of Gun & Game License

II. From the opinion of the several Deputy Commissioners, it was found that the number of gun licenses issued in the several districts was not unduly large. Neither has there been any appreciable increase in the number of game licenses.

The Committee are of opinion that no undue restrictions need be placed on the issue of gun licenses which are chiefly intended for self-protection.

Game Sanctuaries.

III. From the evidence gathered from among the sportsmen it is learnt that there is no necessity for constituting fresh game sanctuaries. The existing Game Preserves of His Higness serve the purpose of Game Sanctuaries. By the use of power now conferred by Sections 3 and 4 of the Game Regulation, any tract can be closed absolutely for all game or for particular Game, if, in the opinion of the Government, such a course is deemed necessary.

The Committee consider that there is no necessity for the fomation of Game Sanctuaries at present.

Division of Game Areas into Blocks and limiting the Bag

IV. It was brought to the notice of the Committee that it was in expedient to divide the State into a number of Shooting Blocks—some witnesses objecting on the ground of the poverty of game now available, and some on the score that such a division would attract a number of visitors from outside the State from all parts of India, and would result in a great amount of shooting. The general opinion is that it will suffice to issue licenses by districts only, abolishing the provincial licenses, and to issue separate licenses for big and small game, at the same time, removing the distinction between State and District Forests.

Mr. Bowring and the private gentlemen consulted consider that it is not desirable to reduce the number of head of game now allotted to each license.

But the Committee consider that as the license is to be in force for only a portion of the open season (*vide* IX *infra*), the number of head of game that is permissible for each license-holder to bag be also reduced as follows:—

	Existing	Proposed
Bison	2	1
Chital	4	2
Sambhar	2	1
Barking deer	2	1
Antelope	..	1

Since tiger is proposed to be brought under Game, the number that can be shot by each license-holder may be restricted to one.

Restrictions on the kind of gu used for prote tion ofops.

V. Messrs. Bowring and Van Ingen are very strong in their opinion and emphasize the importance of reduction of the length of barrels of guns licensed for protecting crops, person and property. Mr. Theobald and some other witnesses have also urged this. They state that by reducing the barrel only the accuracy of the weapon is diminished but not is effectiveness in scaring away the animals doing damage to crops or for self-protection purposes at short range.

The Committee consider that such a measure is not practicable as it will materially curtail the rights of private citizens licensed to possess arms.

odical Census of Arms.

VI. The Arms Regulation prescribes a periodical census of arms and it is necessary to enforce it to facilitate the enforcing of the new Arms Rules. If possible it is desirable to imprint on the stock of the weapon, a distinct serial number.

ter Supervision of Explosives and the ibility of a e monopoly.

VII. From the statistics received from the office of the Director of Industries it is seen that 3,904 maunds of arms and ammunition valued at Rs. 7,80,800 and 6,840 maunds of explosives valued at Rs. 6,15,600 were imported into the State during 1925-26. Practically the whole of the import of the explosives was into the Kolar Gold Fields and such import into the rest of the State is negligible. From the latest report of the Chief Inspector of Explosives, it is seen that barely 80 'A' licenses were issued in 1924 for manufacture, possession and sale of explosives of minor kinds and that the total number of 'B' licenses for possession and sale of such explosives was only 255 for the whole State. The largest number of licenses was only for possession of gun powder or other explosives for blasting purposes mainly for sinking of wells, and these people purchase supplies being purchased from "A" and "B" licenses or from department magazines.

Stricter control than that obtaining now does not appear necessary.

vards.

VIII. The question was gone into in great detail. There was an unanimity of opinion that rewards for killing of Tigers should be done away with altogether and the existing rate for killing of wild dogs should be appreciably enhanced. There was difference of opinion as regards rewards for panthers, hyenas, wolves and jungle cats.

It was also brought to the notice of the Committee that rewards for informers, etc., in cases of infringement of Game Law and Rules required considerable modification and liberalisation.

The following statement gives the existing scale of rewards for destruction of wild animals (*vide* Mysore Account Code, Vol. I, page 140):—

Tiger ..	.. 25	Wolves ..	.. 10
Panther or Chital	.. 20	Hyenas ..	.. 5
Wild dogs ..	.. 10	Jungle cats ...	.. 2

The Committee are of opinion that rewards for tigers be abolished. In the case of panthers, the Committee recommend that instead of paying rewards for killing, it would be advisable to pay Rs. 15 per skin, if the same is tendered in a good condition at the treasury and if the Deputy Commissioner in his discretion wants to retain it.

The rewards for wild dogs may in the opinion of the Committee, be increased to Rs. 20 per bitch and Rs. 15 per dog.

enses.

The Deputy Commissioner of Shimoga, is of opinion that the rewards for other animals may continue and that a reward may be prescribed for wild boars also.

s for licenses.

IX. There was a general concensus of opinion that the existing fees, *viz.*, Rs. 25, 15, 5 and 2 should be enhanced graduated with reference to local residents outside sportsmen, professional shikaries and conductors of Shikar parties.

After a thorough enquiry, the Committee recommend the following changes:—

(1) That Provincial Game License be abolished.
(2) That District Licenses for only District Forests be abolished.
(3) That licenses be given for Districts only including both District and State Forests.
(4) That licenses be issued separately for big game and feathered game.
(5) That the license fee be,

	Rs.
1. Big Game	20
2. Feathered Game	10

(6) That the license be operative during any of the two periods of the open season, *viz.*,
(1) Fifteenth October to end of January.
(2) Beginning of February to 15th May.
(Mr. Bowring states that a license for the whole season may be issued.)
(7) That this rate be reduced to half in the case of residents of the District.
(8) That the fee be doubled in the case of professional shikaries and shikaries who conduct shooting parties.
(9) That the more important village shikaries be registered.

The recommendation in respect of the Rs. 2 license is given in para (4) of Section I.

Issue of Licenses.—The licenses are being issued now by the District Magistrates for District Forests ; for State Forests in the District, if included, the licenses are countersigned by the Conservator of Forests ; and in the case of provincial licenses. they are countersigned both by the Conservator and the Inspector-General of Police, The Provincial license is recommended by the Committee to be abolished and also the District Forest license of the District. As already stated, there is a difference of opinion in the Committee as regards two Rupees license.

The Deputy Commissioners, Mysore and Shimoga are in favour of continuing he power of issuing licenses in the District Magistrates acting in consultation with the District Forest Officers.

The Conservator of Forests considers that issue of licenses should vest in the District Forest Officers who are by far the best judges of game available. Such a power would induce them to take more interest in the enforcing of Game Laws. Further, it does not stand to reason that the issue of licenses for shooting in forest lands, under the control of the Forest Department, should vest in the discretion of the District Magistrates.

The District Magistrate, Shimoga, states as follows:—

'The District Magistrate is the representative of the Government and Police and other departments are subordinate to him. It is necessary to enforce strict observations of the Game Laws in this respect. In the Districts of Mysore, Kadur and Shimoga there are two or even three District Forest Officers in each District and it would be highly inconvenient to the outsiders to ascertain to which Officer they should apply for license. There will be no co-ordination. For the above reason it is necessary that the licenses should be issued by the District Magistrates.'

Return of Licenses, etc.—The Committee are of opinion that the licenses should be made returnable soon after the expiry of the license or when no longer required by the license-holder with a statement showing the kind and number of game shot under the license, with a record of measurements.

The particulars will be entered in the registers maintained in the Range and District Forest Offices.

The license-holder should give previous intimation to the nearest Forest Officer not below the rank of a Ranger, before he enters the State Forest for shooting Such a rule exists in the Game Rules of British India and of Hyderabad State, and their adoption is necessary for the better administration of the Game Rules in Mysore.

X. Most of the witnesses consulted are in favour of Game Associations being formed. Only two witnesses, Messrs. Bowring and Middleton consider them unworkable and unnecessary. Messrs. Van Ingen and Theobald in Mysore District and the Superintendent of the Mining Companies in Kolar Gold Fields welcome the idea, as also Mr. English in Kadur District. Mr. Van Ingen is of opinion that in course of time, many of the local people would take pride in respecting the Game Rules and the unwritten laws of sportsmanship if such an Association is formed. He suggests that an Association may be formed at Mysore as an experiment. The Committee agree with Mr. Van Ingen and recommend that an Association be formed in Mysore District with the following members:— Game Associations.

(1) Deputy Commissioner, President.
(2) District Forest Officer, Secretary.
(3) District Superintendent of Police.
(4) Mr. Van Ingen.
(5) Mr. Theobald.
(6) All Game license-holders of the District.

1. The Committee carefully explored the Regulation and Rules and recommend the following modifications:— General

(*a*) In Section 4 omit the words "for commercial" as the Committee think that the section, as at present, is liable to an interpretation restricting Government's freedom of action.

(*b*) Add the words "without assigning any reason therefore" at the end of Section 9.

(*c*) The prohibition Rule 3 (i) may be made permanent and included under Rule 2 subject of course to the subsequent proviso.

(*d*) Under Rule 3—(i) (a) antelopes may be protected for a period of five years commencing from 1st July 1927, in all Districts, subject to proviso under Rule 2.

(ii) Shooting of bison may be prohibited for a period of three years commencing from 15th October 1926.

(*e*) The attention of the Deputy Commissioners may be invited to Rule 5 for needful action.

(*f*) The Close Season for Feathered Game may be fixed as follows:—

All Feathered Game (except duck and teal) from 1st May to 1st November.

(*g*) The attention of the Municipal authorities may be invited for enforcing the provision under Rule 8 (c) which, it is reported, is not being enforced.

(*h*) In Rule 9, line 2, add "or fishing in notified areas" after the word 'Game' and before the word 'or' in line 3.

II. To make known the existence of Game Laws to the general public and the lower subordinates of the several departments, entrusted, with the enforcing of the Game Laws, the Committee consider it necessary to get a Kannada Pamphlet containing the provisions of Game Rules published and widely distributed.

III. It is further considered necessary that the higher officers of the Revenue, Forest and Police Departments should make frequent enquiries about poaching and at the same time devote some time to shooting, which will indirectly interest them in seeing that the Game Laws are being strictly observed.

IV. To prevent poaching, the Committee consider it desirable to provide for a liberal grant of rewards to the subordinates of Forest, Revenue and Police Departments specifically in the rules.

V. To obtain the co-operation of the village shikaries in putting down poaching, the Committee recommend that village shikaries in places selected by the Deputy Commissioner in consultation with the District Forest Officer may be granted an allowance not exceeding Rs. 25 in each case, provided that, in the opinion of the Deputy Commissioner, the shikaries have honestly prevented poaching to a reasonable extent. Such shikaries may be encouraged to destory wild dogs, for which liberal rewards are allowed.

A register of village shikaries and trackers may be maintained in each Range and Taluk Office.

B. V. RAMIENGAR,
Chairman.

A. V. RAMANATHAN,
A. K. SYED TAJ PEERAN,
Members.

4-10-26.